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7 ABDI NAZEMIAN, et al.,
8 Plaintiffs,
9 v.
10 NVIDIA CORPORATION,
11 Defendant.

Case No. 24-cv-01454-JST (SK)

**ORDER REGARDING DISCOVERY
LETTER BRIEF**

Regarding Docket No. 173

12 The parties submitted a letter brief concerning Plaintiffs' request to designate Defendant
13 Nvidia Corporation's Chief Executive Officer, Jensen Huang, as a custodian of records for
14 purposes of Defendant's document searches. Plaintiffs seek to include Huang as a custodian in
15 connection with their requests for production, and Defendant opposes the designation.

16 Plaintiffs argue that Huang has spoken at length in public about Defendant's "selection and
17 value of training data" in creating its Large Language Models ("LLMs") and cite to various public
18 sites reflecting those discussions. They emphasize that Huang himself has acknowledged the
19 importance of training data, and they assert that the data used by Defendant is a central issue in
20 this case. Plaintiffs further note that the ESI Order (Dkt. No. 98) allows them to select 24
21 custodians of documents without a showing of good cause. Defendant argues that other, lower
22 level custodians have relevant information and that Plaintiffs are on a fishing expedition in
23 seeking documents from Huang. In essence, Defendants makes the same type of argument that
24 protects an "apex" witness such as a CEO of a large corporation from protection from deposition
25 before other witnesses have been deposed.

26 Because Huang has spoken at length about the training data used for LLMs, it is likely that
27 he has documents that are relevant to this litigation. Plaintiffs are not required to claw their way
28 through other custodians before seeking documents from a CEO who has demonstrated

1 involvement in the key issues of the case. And unlike depositions, which can be taken one at a
2 time, obtaining and reviewing documents first from some witnesses before seeking documents
3 from a CEO is not as easily segregated. Requiring Plaintiffs to review documents from other
4 custodians first, only to revisit the issue later, would be inefficient and unduly burdensome.

5 For these reasons, the Court ORDERS Defendant to designate Huang as a custodian in
6 responding to Plaintiffs' requests for production.

7 **IT IS SO ORDERED.**

8 Dated: September 11, 2025



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10 SALLIE KIM
United States Magistrate Judge